

00-R-1774

**A RESOLUTION**

**BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS RESULTING FROM THE CASE OF CHANTELL ELLIS V. RICHARD FRANKLIN, PENDING IN THE MAGISTRATE COURT OF CLAYTON COUNTY, GEORGIA, CIVIL ACTION FILE NUMBER 2000CM08623, FOR \$1,000; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT FROM FUND ACCOUNT CENTER NO. 1A01529017T31001; AND FOR OTHER PURPOSES.**

WHEREAS, Chantell Ellis v. Richard Franklin; Magistrate Court of Clayton County, Georgia; Civil Action File Number 2000CM08623; arises from an incident occurring in April 2000 in which the Plaintiff, Chantell Ellis, was involved in a motor vehicle accident with a City of Atlanta vehicle driven by its Department of Public Works employee, Richard Franklin;

WHEREAS, Plaintiff alleged that the accident caused property damage and personal injury;

WHEREAS, Plaintiff further alleged that the accident caused her to incur expenses for car repairs, towing expenses, rental vehicle charges, lost wages, parking fees, filing fees, pain and suffering, and vehicle depreciation;

WHEREAS, Plaintiff agreed to accept from the City the payment of \$1,000 in settlement of all claims against Richard Franklin and the City arising out of the facts and circumstances of this lawsuit;

WHEREAS, the City Attorney considers it to be in the best interests of the City to resolve this matter and recommends that the City pay the amount of \$1,000 to settle all claims of the Plaintiff against the City and its employee, Richard Franklin, arising out of the facts alleged in the lawsuit;

WHEREAS, the City of Atlanta Code Section 2-783(h) authorizes the payment of the aforesaid amount in the resolution of this claim;

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES AS FOLLOWS:**

**SECTION 1.** The City Attorney is authorized to settle the case of Chantell Ellis v. Richard Franklin; Magistrate Court of Clayton County, Georgia; Civil Action File Number 2000CM08623, for the sum of One Thousand Dollars

(\$1,000) in exchange for the Plaintiff's execution and delivery to City of a Final Payment and General Release and filed Notice of Voluntary Dismissal With Prejudice.

**SECTION 2.** The Chief Financial Officer is authorized to pay a total sum of \$1,000 to Chantell Ellis from Account No. 1A01529017T31001.